

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 16-1928

James J. Thole and Sherry Smith, individually and on behalf of all others similarly situated

Appellants

v.

U.S. Bank, National Association, individually and as successor in interest to FAF Advisors, Inc.  
and U.S. Bancorp

Appellees

Nuveen Asset Management, LLC, as successor in interest to FAF Advisors, Inc.

Richard K. Davis, et al.

Appellees

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AARP, et al.

Amici on Behalf of Appellant(s)

Chamber of Commerce of the United States of America

Amicus on Behalf of Appellee(s)

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Appeal from U.S. District Court for the District of Minnesota - Minneapolis  
(0:13-cv-02687-JNE)

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**MANDATE**

In accordance with the opinion and judgment of 10/12/2017, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above-styled matter.

March 02, 2018

Clerk, U.S. Court of Appeals, Eighth Circuit